

EXHIBIT 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

ABSTRACT OF JUDGMENT

FOR COMMITMENT TO STATE PRISON

AUG 13 1981

THE PEOPLE OF THE STATE OF CALIFORNIA
PLAINTIFF

VS

DATE July 13, 1981

CASE NUMBER:

CR. 53556

PRESENT

RAUL ROSADO

JUDGE OF THE SUPERIOR COURT

Edwin L. Miller, Jr., District Attorney

By J. PIPPIN

DEPUTY

T. WARWICK

COUNSEL FOR DEFENDANT

D. WILLIAMS

CLERK

O. CHAVEZ

REPORTER

JOHN LEE BAITIE

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John Lee Batie aka

DEFENDANT

☐ PROBATION HAVING HERETOFORE GRANTED AND SAID PROBATION HAVING BEEN REVOKED ON

☒ APPLICATION FOR PROBATION IS DENIED. THE DEFENDANT (IS DULY ARRAIGNED) (WAIVES FORMAL ARRAIGNMENT).

Count No. One

of Not Guilty

WHEREAS THE SAID DEFENDANT ON HIS PLEA

having

(GUILTY, NOT GUILTY, FORMER CONVICTION OR ACQUITTAL, ONCE IN JEOPARDY, NOT GUILTY BY REASON OF INSANITY)

been convicted by Jury of Murder in the second degree

(THE COURT OR JURY)

(DESIGNATION OF CRIME AND DEGREE IF ANY, INCLUDING FACT THAT IT CONSTITUTES A SECOND OR SUBSEQUENT, IF THAT

AFFECTS THE SENTENCE)

IN VIOLATION OF Penal Code Section 187

(REFERENCE TO CODE OR STATUTE, INCLUDING SECTION AND SUBSECTION THEREOF, IF ANY VIOLATED.)

YEAR CRIME COMMITTED IS 1981

THE DEFENDANT IS CREDITED FOR TIME SPENT IN CUSTODY, 271 TOTAL DAYS, INCLUDING:

ACTUAL LOCAL TIME 181 PC 4019(b) CREDIT 90, STATE INSTITUTIONS TIME _____

THE COURT FINDS: (*IF NO FINDING MADE, ENTER "NO FINDING MADE")

No finding made. THE DEFENDANT (WAS OR WAS NOT) ARMED WITH A DEADLY WEAPON AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969c and 12022 of the Penal Code.

* THE DEFENDANT did use A FIREARM IN HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969d and 12022.5 OF THE Penal Code. (USED OR DID NOT USE)

* No finding made. THE DEFENDANT (WAS OR WAS NOT) ARMED AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Section 1203 of the Penal Code and that weapon was

THE DEFENDANT HAS HAD PRIOR FELONY CONVICTIONS AS FOLLOWS:

DATE

COUNTY AND STATE

CRIME

DISPOSITION

None

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CHINO

It is therefore ordered, adjudged and decreed that the defendant be punished by imprisonment in the State Prison of the State of California for the term prescribed by law. It is ordered that the sentences shall be served in respect to one another as follows (CC or CS):

N/A

and in respect to any prior incompleated sentence(s) as follows (CC or CS):

N/A

ALL PRIOR CONVICTIONS

It is further ordered that the defendant be remanded to the Sheriff of the County of San Diego; and pursuant to the aforesaid judgment, this is to command you, the Sheriff to deliver the defendant into the custody of the Director of Corrections of the State of California at the California Institution for Men at Chino, California at your earliest convenience.

~~Noted by Frontiers~~

The Court (did) instruct the defendant of his right to appeal in accordance with Rule 250, California Rules of Court.

YIELDING TO THE COURT IS DENIED

INFORMATION HAVING BEEN FURNISHED TO THE COURT BY THE DEFENDANT'S ATTORNEY

I certify the foregoing to be a true and correct abstract of the Judgment made and entered on the minutes of the Superior Court herein.

Dated: August 13, 1981

ROBERT D. ZUMWALT, COUNTY CLERK

RAUL ROSADO

JUDGE OF THE SUPERIOR COURT

By [Signature] Deputy

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